

Remarks

The Office Communications mailed November 6, 2002, June 11, 2003, July 16, 2003, and the May 24, 2004 Decision on Petition to Withdraw the Holding of Abandonment have been carefully considered, along with the Office Communication mailed August 19, 2005. The present amendment is believed to address the prior rejections and comply with requirements of 37 C.F.R. 1.173 regarding amendments in reissue applications. Claims 1-4, 6-11, and 13-14 have been amended. Claims 5, 12 and 15-38 have been cancelled without prejudice and new claims 39-50 have been submitted herewith. Claims 1-4, 6-11 and 13-14 having been amended; claims 5, 12 and 15-38 having been cancelled and new claims 39-50 having been added; the claims now pending in the present application are claims 1-4, 6-11, 13, 14 and 39-50.

Claims 1-18, 30 and 32-38 were previously rejected as being based upon a defective reissue oath/declaration under 35 U.S.C. 251. A reissue declaration is enclosed herewith that is believed to overcome this rejection.

Applicant notes that claims 5-6, 12-13, and 16-17 were previously objected to, but noted by the Examiner to be allowable if rewritten in independent form to include all the limitations of the underlying claims from which these claims depend and if a declaration is supplied that overcomes the rejection under 35 U.S.C. 251. In addition, former claim 32 (now claim 50) was indicated as allowable, if a declaration is supplied that overcomes the rejection under 35 U.S.C. 251. Independent claim 1 has been amended to incorporate graduated measuring scale elements of claim 5. Similarly, independent claim 8 has been amended to incorporate graduated measuring scale elements of claim 12. Further, claim 39 has been amended to incorporate tensioning rail attachment chamber elements of former claim 16. As such, independent claims 1, 8, and 39 are believed to be allowable over the prior art of record. Claims 2-4, 6, and 7 depend from independent claim 1 and therefore are believed to be allowable over the prior art of record for the same reasons that claim 1 is believed to be allowable. Claims

9-11, 13 and 14 similarly depend from independent claim 8 and therefore are believed to be allowable over the prior art of record for the same reasons that claim 8 is believed to be allowable. Claims 40 and 41 depend from claim 39 and therefore are allowable over the prior art of record for the same reasons that claim 15 is allowable.

Claims 1, 2-3, 7-10 and 14 were rejected under 35 U.S.C. 103(a) as being unpatentable over either the prior art as admitted by applicant or Wheatley '735 in view of Buratovich '802. In addition, claims 4 and 11 were rejected under 35 U.S.C. 103(a) as being unpatentable over either the prior art as admitted by applicant or Wheatley '735 in view of Buratovich '802 and further in view of Lamb '660. Although amendments have been made to the claims 1-4, 7-10 and 14-15 to bring these claims into condition for allowance as noted previously, the 103(a) obviousness rejection is respectfully traversed and the applicant reserves the right to pursue claims similar to the original claims in this or a subsequent application.

Enclosed herewith is a Petition for a 2-month Extension of Time in which to respond to the outstanding Office Communication, extending the deadline for responding to the outstanding Office Communication from September 19, 2005 to November 19, 2005. Also enclosed is a check for the extension fee. If any further fees are required to make the present response timely filed, please change any such fees to the deposit account of the undersigned attorney's law firm, Deposit Account No. 13-4300. Thank you.


Conclusion

On the basis of the foregoing, Applicant respectfully submits that the claims 1-4, 6-11, 13, 14 and 39-50 are now believed to be in condition for allowance. For that reason a timely Notice of Allowance is respectfully solicited. The courtesies extended to by the Examiner to the undersigned attorney are noted with appreciation. To the degree the undersigned attorney can be helpful to the Examiner in resolving any further matters that stand in the way of the allowance of the present claims, the Examiner is

respectfully urged to contact the undersigned attorney at the telephone number provided below. The Examiner's consideration in this regard will be appreciated.

Respectfully submitted,
for the Applicants
by their attorneys,

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Date: November 16, 2005 By: 
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